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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/759,693

01/15/2004

James A. Longman

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EXAMINER

RADA, ALEX P

ART UNIT

PAPER NUMBER

3712

DATE MAILED: 07/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/759,693

Applicant(s)

LONGMAN, JAMES A.

Examiner

Alex P. Rada

Art Unit

3712

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 4/26/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____: |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Request for Continued Examination

In response to the RCE filed April 26, 2006 in which the applicant amends claims 1, 11, 14, 16-18, 22-23, 26, 28-30, 34-35 and claims 1-37 are pending in this application.

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the flowchart for elements of identifying the particular game controller as disclosed in claim 14 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-8, 10-14, 16-20, 22-26, 28-32 and 34-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mazza et al. (US 2002/0070915) in view of Niedzwiecki (US 5,896,125).

4. Mazza et al discloses the following:

An interface application including a mapping module that defines a plurality of controller signal relationships, wherein paragraph 41 discloses a configuration engine that enables mapping of the controls buttons on the controller, each controller signal relationship associating one of a plurality of game controller (item 10 of figure 1) signals with one of a plurality of trading system commands associated with the electronic trading of financial instruments, wherein paragraphs 36-41 and figure 4 disclose the physical click of each button on the controller (10) is read by the port controller and then passed to the message controller for processing of the that particular action from the controller, wherein the interface application is operable to receive a particular game controller signal, determine the trading system command associated with the particular game controller signal using the mapping module, and communicate the determined trading system command such that the trading system command is executed, wherein paragraphs 36-41 disclose after the message is received from the port controller the messaging controller processes input by

storing the input (from the game controller), converts the message received from the port controller into either mouse/keyboard input or API interface command in order to control the trading system program as recited in claim 1.

The mapping module further defines a plurality of keyboard signal relationships, each keyboard signal relationship associating one of a plurality of keyboard signals with one of the plurality of trading system commands, wherein paragraph 41 and figure 4 discloses a configuration engine that enables mapping of the pre-installed set of configuration options on the controller or a user defined configuration of the controller as recited in claim 2.

An input port (figure 4 and paragraph 36) in communication with the interface application (figure 4), and a game controller (item 10 of figure 1) operable to produce the plurality of game controller signals, the game controller configured to interface with the input port such that the game controller signals produced by the game controller are communicated to the interface application via the input port, wherein paragraph 36-41 discloses when the a button or combination of buttons pressed for a particular action on the controller, the port controller sends the command to the messaging controller and converts the message received into either the mouse/keyboard input or to the particular program as recited in claim 3.

The input port is a serial port (figure 4) as recited in claims 5, 8, 20 and 32.

The mapping module further defines one or more feedback signal relationships, each feedback signal relationship associating a trading platform signal with a controller feedback command; and wherein the interface application is further operable to receive a particular trading platform signal from a trading platform,

determine the controller feedback command associated with the particular trading platform signal using the mapping module, and communicate the determined controller feedback command toward a game controller, wherein paragraph 30-33 discloses the system capable of providing feedback to the user via the controller so that tactile confirmation of trades executed or canceled (for example) may be provided as recited in claim 10.

The determined controller feedback command comprises a command to vibrate the game controller, wherein paragraph 33 discloses a tactile confirmation of trades execute or cancelled as recited in claims 11, 23, and 35.

The interface application is further operable to: provide to a user a controller configuration interface, wherein the configuration engine to be the configuration interface (paragraph 41), receive via the controller configuration interface one or more reconfiguration instructions, and reconfigure one or more of the plurality of controller signal relationships based on the received reconfiguration instructions, wherein paragraph 41 disclose a configuration engine is capable of pre-installed set of commands or user defined configuration options as recited in claim 13.

Managing a plurality of controller signal relationships, each controller signal relationship associating one of a plurality of game controller signals with one of a plurality of trading system commands associated with the electronic trading of financial instruments via a trading platform (paragraphs 36-41 and figure 4), receiving a particular game controller signal generated by a game controller (10), determining the trading system command associated with the particular game controller signal based on the controller signal relationships, and communicating the determined

trading system command toward the trading platform such that the trading system command may be executed by the trading platform, wherein figure 4 and paragraphs 36-41 disclose when the a button or combination of buttons pressed for a particular action on the controller, the port controller sends the command to the messaging controller and converts the message received into either the mouse/keyboard input or to the particular program as recited in claims 14 and 26.

The particular game controller signal generated by the game controller is received via a serial port (figure 4 and paragraph 34) as recited in claims 17 and 29.

Managing one or more feedback signal relationships, each feedback signal relationship associating a trading platform signal with a controller feedback command, receiving a particular trading platform signal from a trading platform, determining the controller feedback command associated with the particular trading platform signal based on the feedback signal relationships, and communicating the determined controller feedback command toward the game controller, wherein paragraph 30-33 discloses the system capable of providing feedback to the user via the controller so that tactile confirmation of trades executed or canceled (for example) may be provided as recited in claims 22 and 34.

Providing to a user a controller configuration interface and generating one or more of the plurality of controller signal relationships based on the received configuration instructions, wherein paragraphs 36-41 a configuration engine that enables mapping of the pre-installed set of configuration options on the controller or a user defined configuration of the controller as recited in claims 24 and 36.

Providing to a user a controller configuration interface, receiving via the controller configuration interface one or more reconfiguration instructions, and reconfiguring one or more of the plurality of controller signal relationships based on the received reconfiguration instructions, wherein paragraphs 36-41 a configuration engine that enables mapping of the pre-installed set of configuration options on the controller or a user defined configuration of the controller as recited in claims 25 and 37.

Mazza et al does not expressly disclose the following:

At least some of the controller signal relationships are associated with different *game controllers*, *identify a particular game controller* and determine at least one particular controller signal relationship based at least in part on *the identified game controller* as recited in claims 1, 14, and 26.

A keyboard input port in communication with the interface application, a keyboard operable to produce keyboard signals and configured to interface with the keyboard input port such that keyboard signals produced by the keyboard are communicated to the interface application via the keyboard input port, the keyboard including a controller input port; and a game controller operable to produce the plurality of game controller signals, the game controller configured to interface with the controller input port such that the game controller signals produced by the game controller are communicated to the interface application via the keyboard as recited in claim 6.

The controller input port is a USB type port as recited in claims 4, 7, 16, 19, 28 and 31.

The interface application is further operable to: provide to a user a controller configuration interface, receive via the controller configuration interface one or more configuration instructions, and generate one or more of the plurality of controller signal relationships based on the received configuration instructions as recited in claim 12.

The game controller is coupled to a controller input port provided by a keyboard, and wherein the particular game controller signal generated by the game controller is received via the controller input port as recited in claims 18 and 30.

Niedzwiecki teaches the following:

At least some of the controller signal relationships are associated with different *game controllers* (items 40 and 48 of figure 2), *identify a particular game controller* and determine at least one particular controller signal relationship based at least in part on *the identified game controller*, wherein the controllers (40 and 48) inserted in to invention 20 which recognizes and translated into key scan code compatible with the particular computer system to be *identify a particular game controller* and determine at least one particular controller signal relationship based at least in part on *the identified game controller* as recited in claims 1, 14, and 26.

A keyboard input port in communication with the interface application, a keyboard (figures 4a-4b) operable to produce keyboard signals and configured to interface with the keyboard input port such that keyboard signals produced by the keyboard are communicated to the interface application via the keyboard input port (figure 2), the keyboard including a controller input port (figures 2 and 4A-4B), and a game controller operable to produce the plurality of game controller signals (20b of

figure 2), the game controller configured to interface with the controller input port such that the game controller signals produced by the game controller are communicated to the interface application via the keyboard, wherein col. 4, lines 28-40 disclose a specialized interface used to translate the input data from the video controller into data that can be inputted directly to the computer via the keyboard port as recited in claim 6.

The controller input port is a USB type port (figure 2) as recited in claims 4, 7, 16, 19, 28 and 31.

The interface application is further operable to: provide to a user a controller configuration interface, receive via the controller configuration interface one or more configuration instructions, and generate one or more of the plurality of controller signal relationships based on the received configuration instructions, wherein col. 8, lines 4-31 discloses the program mode capable of a user to specify which key scan code or combination of codes to be providing to a user a controller configuration interface, receive via the controller configuration interface one or more configuration instructions, and generate one or more of the plurality of controller signal relationships based on the received configuration instructions as recited in claim 12.

The game controller is coupled to a controller input port provided by a keyboard (figures 4A-4B), and wherein the particular game controller signal generated by the game controller is received via the controller input port (figure 2) as recited in claim 18 and 30.

By having a user assign particular signals to the game controls on a game controller and configuration interface and a game controller communicated to the

interface application via the keyboard, one of ordinary skill in the art would provide a customizable game controller configured to a user's precise preferences to a specific game or application and provide users to input signals, such as keystroke signal, to be consolidated on one module into a single signal stream for coupling to the computer.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Mazza et al to include at least some of the controller signal relationships are associated with different *game controllers*, *identify a particular game controller* and determine at least one particular controller signal relationship based at least in part on *the identified game controller*, a keyboard input port in communication with the interface application; a keyboard operable to produce keyboard signals and configured to interface with the keyboard input port such that keyboard signals produced by the keyboard are communicated to the interface application via the keyboard input port, the keyboard including a controller input port; and a game controller operable to produce the plurality of game controller signals, the game controller configured to interface with the controller input port such that the game controller signals produced by the game controller are communicated to the interface application via the keyboard, the controller input port is a USB type port, the controller input port is a serial port, and the interface application is further operable to: provide to a user a controller configuration interface, receive via the controller configuration interface one or more configuration instructions, and generate one or more of the plurality of controller signal relationships based on the received configuration instructions as taught by Niedzwiecki to provide a customizable game controller configured to a user's precise

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preferences to a specific game or application and provide users to input signals, such as keystroke signal, to be consolidated on one module into a single signal stream for coupling to the computer.

5. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mazza et al. (US 2002/0070915) in view of Niedzwiecki (US 5,896,125) as applied to claim 6 above, and further in view of McCausland et al. (US 5,243,331).

6. Mazza et al in view of Sanderson et al and Niedzwiecki disclose the claimed invention as discussed above except for the following:

The mapping module further defines a plurality of keyboard signal relationships, each keyboard signal relationship associating one of a plurality of keyboard signals produced by the keyboard with one of the plurality of trading system commands as recited in claim 9.

McCausland et al teaches the following:

A plurality of keyboard signal relationships, each keyboard signal relationship associating one of a plurality of keyboard signals produced by the keyboard with one of the plurality of trading system commands (figures 2-3 and summary) as recited in claim 9. By having a plurality of keyboard signals with trading system commands, one of ordinary skill in the art would provide an automated trading system making use of an interactive keypad for transactions in securities markets.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Mazza et al to further include a plurality of keyboard signal relationships, each keyboard signal relationship associating one of a plurality of keyboard signals produced by the keyboard with one

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of the plurality of trading system commands as taught by McCausland et al to provide an automated trading system making use of an interactive keypad for transactions in securities markets.

7. Claims 15, 21, 27 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mazza et al. (US 2002/0070915) in view of Niedzwiecki (US 5,896,125) as applied to claims 14, 18, 26 and 30 above, and further in view of McCausland et al. (US 5,243,331).
8. Mazza et al in view of Niedzwiecki disclose the claimed invention as discussed above except for the following:

Managing a plurality of keyboard signal relationships, each keyboard signal relationship associating one of a plurality of keyboard signals with one of the plurality of trading system commands; receiving a particular keyboard signal generated by the keyboard; determining the trading system command associated with the particular keyboard signal based on the keyboard signal relationships', and communicating the determined trading system command toward the trading platform such that the trading system command may be executed by the trading platform figures 2-3 and summary) as recited in claims 15, 21, 27 and 33.

McCausland et al teaches the following:

Managing a plurality of keyboard signal relationships, each keyboard signal relationship associating one of a plurality of keyboard signals with one of the plurality of trading system commands, receiving a particular keyboard signal generated by the keyboard; determining the trading system command associated with the particular keyboard signal based on the keyboard signal relationships', and communicating the determined trading system command toward the trading

platform such that the trading system command may be executed by the trading platform, wherein figures 2-3 and summary disclose a keypad interacting with the a computer with a plurality of trading commands to control the information on the screen to provide different transaction display, analysis, and execution functions and communicate the data through a network to interchange bid, offer, and other transaction data as recited in claims 15, 21, 27 and 33. By having a plurality of keyboard signals with trading system commands, one of ordinary skill in the art would provide an automated trading system making use of an interactive keypad for transactions in securities markets.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Mazza et al to further include a plurality of keyboard signal relationships, each keyboard signal relationship associating one of a plurality of keyboard signals produced by the keyboard with one of the plurality of trading system commands as taught by McCausland et al to provide an automated trading system making use of an interactive keypad for transactions in securities markets.

Response to Arguments

9. Applicant's arguments with respect to claims 1-37 have been considered but are moot in view of the new ground(s) of rejection.

In regards to the objection to the drawings, the examiner notes that the element that was missing was the identity of a particular user. Since, applicant has amended claim 14, the missing

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element in claim 14 is the identifying of a particular game controller as noted above in the objection to the drawings.

With regards to the claims as amended, Mazza et al discloses that other forms of a controller than those specifically shown and mentioned may accomplish the same general operation insubstantially different ways, while still permitting trading operation to be controlled within the principles of the present invention as noted in paragraph 26. Niedzwiecki was cited to teach the identifying of different controllers used with the same or different types of applications as noted in the rejection above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alex P. Rada whose telephone number is 571-272-4452. The examiner can normally be reached on Monday - Friday, 08:00-16:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hotaling can be reached on 571-272-4437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


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